

## Jose Cisneros

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**From:** Bikram Shrestha [Bikram.Shrestha@linde.com]  
**Sent:** Monday, November 22, 2021 1:31 PM  
**To:** Jose Cisneros  
**Subject:** RE: Linde (531) Permit Renewal

Good afternoon Jose,  
Thank you so much for providing us with our permit renewal.

Happy Holidays!!

Regards,  
Bikram

**Bikram Shrestha**  
Environmental Specialist

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**From:** Jose Cisneros <jcisneros@eastchicago.com>  
**Sent:** Monday, November 22, 2021 11:00 AM  
**To:** Bikram Shrestha <Bikram.Shrestha@linde.com>  
**Cc:** Kenneth Myers <kmyers@eastchicago.com>; Henry Padilla <hpadilla@eastchicago.com>  
**Subject:** IMP: Linde (531) Permit Renewal

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Hello Bikram:

Good Morning, hoping you are doing well and wishing you a Blessed Thanksgiving celebration.

Please find as attached, the District's reissuance of Linde Inc. (Outfall 531) Wastewater Discharge Permit (hereafter, Renewed Permit). Relative to the renewed permit and further serving as a reminder, the Indiana Department of Environmental Management recently conducted an audit of the East Chicago Sanitation District Pretreatment program as various modifications (as listed below) have been incorporated within the renewed permit. As the renewed permit continues to set forth the operational standards required of the Permittee by the District to ensure full compliance with the limitations and conditions of the city's Sewer Users Ordinance No. 18-007 and/or as further established by the State or Federal Authorities, I would highly recommend that you please take the time to review the modified permit and should you have any relevant inquiries or concerns, please do not hesitate to contact me.

## 1. Monitoring Requirements

### a. District Monitoring Responsibilities

#### i. Sample Parameters

##### 1. Sample Type

- a. Phenols changed to "Grab" sampling
- b. Silver deleted from the listing of sampling parameters

##### 2. Sample Methodology

- a. Frequency related language modified

### b. Footnotes

#### i. Modification:

- 1. (2) All metal analytes will be measured and reported as total recoverable metals, unless specified otherwise by the District

- a. Note: "by the District" related language was included

### c. Spill Control/Slug Load Prevention Plan

#### i. Provisional inclusion within the permit

- 1. Please Note: Spill Prevention Control & Countermeasure (SPCC) plan is now required from all dischargers

- a. If the District is not in possession of, please submit SPCC plan within 45 days from the date of this advisement

## 2. Notification

### a. Significant Change Notice

#### i. Significant changes in water volume or water quality discharge(s)

must be immediately brought to the District's attention

### b. Self-Monitoring Reporting Frequency

#### i. Pursuant to 40 CFR 403.12(g)(6), if an industrial user subject to the

reporting requirement in paragraph (e) or (h) of this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Control Authority, using the procedures prescribed in paragraph (g)(5) of this section, the results of this monitoring shall be included in the report.

### c. Submission of Self-Monitoring Reports

#### i. Pursuant to 40 CFR 403.8(f)(2)(iv) & (v), require (A) the development

of a compliance schedule by each Industrial User for the installation of technology required to meet applicable Pretreatment Standards and Requirements and (B) the submission of all notices and self-monitoring reports from Industrial Users as are necessary to assess and assure compliance by Industrial Users with Pretreatment Standards and Requirements, including but not limited to the reports required in 40 CFR 403.12

## 3. Standard Conditions

### a. Duty to Reapply

#### i. The Permittee must timely submit for and obtain a renewed permit

### b. Limitation of Permit Transfer

#### i. Inclusion

- 1. (e) Further provides a copy of the existing permit to the new owner

- a. Note: In the event of transferability

### c. Monitoring and Records

#### i. Additional Monitoring by the Permittee

- 1. Inclusion: Paragraph 2

- a. If sampling performed by a Permittee indicates a violation, the Permittee must notify the District within twenty-four (24) hours of becoming aware of the violation...

#### i. Note: As

consistent with Notification Requirements, F. 24 Hour Violation Notice requirements

d. Statement of Non-Transferability

- i. a requirement to provide a copy of the existing permit to the new owner

e. Notification of Discharge Violation

- i. If sampling performed by an Industrial User indicates a violation, the User shall notify the Control Authority within 24 hours of becoming aware of the violation

f. Report Certification

i. Pursuant to 40 CFR 403.12(l), Signatory requirements for Industrial User reports. The reports are required by paragraph (b), (d), and (e) of this section shall include the certification statement as set forth in 403.6(a)(2)(ii), and shall be signed as follows:

1. (1) By a responsible corporate officer, if the Industrial User submitting the reports required by paragraphs (b), (d) and (e) of this section is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
  - a. A president, secretary, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation or
  - b. The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations, can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

g. Enforcement

i. Pursuant to 40 CFR 5403.8(f)(2)(viii), Comply with the public participation requirements of 40 CFR part 25 in the enforcement of National Pretreatment Standards. These procedures shall include provision for at least annual public notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW of Industrial Users which, at any time during the previous 12 months, were in significant noncompliance with applicable Pretreatment requirements. For the purposes of this provision, a Significant Industrial User (or any Industrial User which violates paragraphs (f)(2)(viii)(C), (D), or (H) of this section) is in significant noncompliance if its violation meets one or more of the following criteria:

1. (A) Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);
2. (B) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
3. (C) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);

4. (D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (f)(1)(vi)(B) of this section to halt or prevent such a discharge;
5. (E) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
6. (F) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
7. (G) Failure to accurately report noncompliance;
8. (H) Any other violation or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the local Pretreatment program.

#### 4. Please Note

- a. Relative to the attached Inspection meeting report, seeking your assistance with timely gaining Mr. Mark Fazio's signature.
  - i. Also and upon gaining his signature, requesting that you please scan and for record related purposes, name the pdf file as follow:  
Linde\_531\_Inspection\_Report\_2021
1. Please timely email the signed document to my attention.
  - a. Thank You Very Much.

Happy Holidays,

*Jose Cisneros*  
 Pretreatment Coordinator  
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